

Message Text

LIMITED OFFICIAL USE

PAGE 01 MANILA 09950 01 OF 02 140951Z

ACTION EA-12

INFO OCT-01 IO-13 ISO-00 SY-05 CIAE-00 DODE-00 PM-05

H-01 INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15

NSCE-00 SSO-00 ICAE-00 INRE-00 CPR-02 /070 W

-----050042 141003Z /21

O 140928Z JUN 78

FM AMEMBASSY MANILA

TO SECSTATE WASHDC NIACT IMMEDIATE 7132

INFO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE SECTION 01 OF 02 MANILA 09950

E.O.11652: N/A

TAGS: PDIP, RP

SUBJECT: GOP PROTESTS ALLEGED VIOLATION OF DIPLOMATIC
PREMISES

1. SUMMARY: MINISTRY OF FOREIGN AFFAIRS HAS PROTESTED
"VIOLATIONS OF PREMISES OF PHILIPPINE PERMANENT MISSION TO
UN AND PHILIPPINE CONGEN IN NEW YORK CITY" AS WELL AS ASSAULT
ON STAFF MEMBER OF GOP EMBASSY WASHINGTON. REQUEST URGENT
ADVICE ON FACTS OF CASE.

2. AT 0300 EDT I WAS SUMMONED TO FOREIGN MINISTRY BY DEPUTY
MINISTER COLLANTES AND PRESENTED WITH FOLLOWING NOTE:

"THE MINISTRY OF FOREIGN AFFAIRS PRESENTS ITS COMPLIMENTS
TO THE EMBASSY OF THE UNITED STATES OF AMERICA, MANILA, AND
WISHES TO LODGE THIS STRONG PROTEST OVER VIOLATIONS OF THE
PREMISES OF THE PHILIPPINE PERMANENT MISSION TO THE UNITED
NATIONS AND THE PHILIPPINE CONSULATE GENERAL IN NEW YORK
CITY AND THE UNPROVOKED ASSAULT ON A STAFF MEMBER OF THE
PHILIPPINE EMBASSY IN WASHINGTON IN CONTRAVENTION OF THE
PROVISIONS OF THE VIENNA CONVENTION ON DIPLOMATIC IMMUNITIES
AND PRIVILEGES AND THE VIENNA CONVENTION ON CONSULAR

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MANILA 09950 01 OF 02 140951Z

IMMUNITIES AND PRIVILEGES.

"ON OR ABOUT 12:30 O'CLOCK OF THE MORNING OF 11 JUNE 1978,
A GROUP OF NEW YORK CITY POLICE OFFICERS, WITH NO SEARCH/
ARREST WARRANT AND WITH THEIR GUNS DRAWN, FORCED OPEN THE
FRONT DOOR OF THE PHILIPPINE CENTER AT 556 FIFTH AVENUE,
DESTROYING A BARREL-BOLT WHICH LOCKED THE DOOR, TWISTED THE

WOODEN HANDHOLD ON THE STREETSIDE OF THE DOOR, PISTOL WHIPPED LEO DACALANIO, THE FILIPINO SECURITY MAN IN THE PREMISES, PLACED AN ARMLOCK ON HIM, FORCED HIM TO LEAN FORWARD AT AN ANGLE WITH HIS HANDS UP AGAINST A WALL AND BEAT HIM WITH A HANDGUN AND A NIGHTSTICK ON HIS HANDS, HIS ARMS AND HIS BACK, AND LATER BANGED HIS HEAD AGAINST THE ADOBE WALL.

"THIS BRUTALITY WAS INFLICTED UPON MR. DACALANIO NOTWITHSTANDING HIS PROTESTATIONS THAT THEY WERE IN THE PREMISES OF THE PHILIPPINE PERMANENT MISSION TO THE UNITED NATIONS AND THE PHILIPPINE CONSULATE GENERAL. IT WILL BE NOTED ALSO THAT MR. DACALANIO IS AN ADMINISTRATIVE ASSISTANT IN THE OFFICE OF THE ARMED FORCES ATTACHE OF THE PHILIPPINE EMBASSY IN WASHINGTON. AT THE TIME OF THE INCIDENT HE WAS ON TEMPORARY SECURITY DETAIL IN THE PHILIPPINE CONSULATE GENERAL IN NEW YORK WHICH IS UNDER THE ADMINISTRATIVE SUPERVISION OF THE EMBASSY OF THE PHILIPPINES IN WASHINGTON. IT IS THEREFORE EVIDENT THAT THE ASSAULT COMMITTED ON MR. DACALANIO A STAFF MEMBER OF THE PHILIPPINE EMBASSY IN WASHINGTON WAS A VIOLATION OF INTERNATIONAL LAW AND OF FEDERAL STATUTES.

"MR. DACALANIO WAS THEN HANDCUFFED AND THE POLICE OFFICERS PROCEEDED TO THE REAR OF THE PHILIPPINE CENTER LOBBY WHERE THE OFFICES OF THE FOREIGN TRADE AND THE TOURISM REPRESENTATIVES ARE LOCATED. THEY RANSACKED THE OFFICES.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 MANILA 09950 01 OF 02 140951Z

"NOT FINDING WHATEVER THEY WERE LOOKING FOR, THE POLICE OFFICERS WENT OUT OF THE LOBBY AND FOUND THE GLASS DOOR LEADING TO THE MAHARLIKA RESTAURANT WHICH IS OWNED BY THE PHILIPPINE GOVERNMENT AND, THE DOOR BEING LOCKED, BRANDISHED THEIR HANDGUNS AT A WAITER WHO HAPPENED TO APPEAR ON THE OPPOSITE SIDE OF THE DOOR AND THREATENED BY MOTIONS TO SHOOT THE WAITER IF HE DID NOT UNLOCK THE DOOR. THE FRIGHTENED WAITER UNLOCKED THE DOOR AND THE POLICE OFFICERS GUNS DRAWN, RUSHED INTO THE RESTAURANT AND POINTED THEIR GUNS AT THE HEADS OF THE RESTAURANT MANAGER, MR. SONNY QUINQUINI AND HIS WIFE SUSAN, AND LATE CUSTOMERS INCLUDING MR. MIGUEL ARGUELLES, MANAGER OF THE CENTER, MR. VICTORIO A TOLENTINO, AN EMPLOYEE IN THE PHILIPPINE MISSION TO THE UNITED NATIONS, MR. GABRIEL BELMONTE, A WAITER, AND MR. MODESTO CABUANG, A COOK IN THE RESTAURANT.

"FOR REASONS KNOWN ONLY TO THE POLICE OFFICERS, MR. CABUANG WAS DRAGGED TO THE PHILIPPINE CENTER LOBBY AND, LIKE MR. DACALANIO, WAS BEATEN AND HANDCUFFED THERE.

"ON OR ABOUT 12:45 A.M., MR. DACALANIO AND MR. CABUANG (BOTH TRIPLE-HANDCUFFED) WERE BROUGHT IN POLICE CARS TO

THE MIDTOWN NORTH PRECINCT WHERE THEY WERE PUSHED AROUND AND SUBJECTED TO INVECTIVES AND INSULTS AGAINST THE GOVERNMENT AND THE PRESIDENT OF THE PHILIPPINE REPUBLIC. THEY WERE SUBSEQUENTLY RELEASED AT ABOUT 2:45 A.M. WITHOUT ANY CHARGES BEING FILED AGAINST THEM.

"UPON THEIR RETURN TO THE PHILIPPINE CENTER, MR. DACALANIO AND MR. CABUANG WERE EXAMINED BY THE PHYSICIAN OF THE PHILIPPINE CONSULATE GENERAL WHO STATED IN HIS MEDICAL REPORT THAT HE FOUND CONTUSIONS, WOUNDS AND LACERATIONS IN VARIOUS PARTS OF THEIR BODIES.

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 MANILA 09950 02 OF 02 141311Z
ACTION EA-12

INFO OCT-01 IO-13 ISO-00 SY-05 CIAE-00 DODE-00 PM-05

H-01 INR-10 L-03 NSAE-00 PA-01 SP-02 SS-15

NSCE-00 SSO-00 ICAE-00 INRE-00 CPR-02 /070 W

-----051697 141319Z /41

O 140928Z JUN 78

FM AMEMBASSY MANILA

TO SECSTATE WASHDC NIACT IMMEDIATE 7133

INFO USMISSION USUN NEW YORK

LIMITED OFFICIAL USE SECTION 02 OF 02 MANILA 09950

"THE COAT-OF-ARMS OF THE REPUBLIC OF THE PHILIPPINES IS PROMINENTLY DISPLAYED IN THE FRONT OF THE BUILDING, JUST INCHES AWAY FROM THE DOOR WHOSE LOCK THE POLICE OFFICERS BROKE. MR. DACALANIO INFORMED THE POLICE OFFICERS OF THE DIPLOMATIC AND CONSULAR CHARACTER OF THE BUILDING, DESPITE WHICH HE WAS CURSED BY A POLICE OFFICER IDENTIFIED AS FRANK FATTIZI (POLICE SHIELD NO. 4746) AND BEATEN UP BY A POLICE OFFICER IDENTIFIED AS FRANCIS MC LAUGHLIN (POLICE SHIELD NO. 8187). THE PLAINCLOTHESMAN WHO SHOVED THEM AROUND AND INSULTED THE PRESIDENT OF THE PHILIPPINES WAS IDENTIFIED AS DETECTIVE SERGEANT JOHN SULLIVAN (POLICE SHIELD NO. 2636).

"IN VIEW OF THE BRUTAL AND UNPROVOKED ASSAULT ON THE CLEARLY IDENTIFIED PREMISES OF THE MISSION AND THE CONSULATE AND ON A STAFF MEMBER OF THE PHILIPPINE EMBASSY IN WASHINGTON (MR. DACALANIO) AND A CITIZEN OF THE PHILIPPINES (MR. CABUANG THIS MINISTRY DEMANDS A FORMAL WRITTEN SATISFACTION FROM THE GOVERNMENT OF THE UNITED STATES AND THE DISMISSAL OF

ALL POLICE OFFICERS INVOLVED IN THE INCIDENT, WITHOUT PREJUDICE TO THE RIGHT OF THE PHILIPPINE GOVERNMENT TO INSTITUTE CRIMINAL PROCEEDING AGAINST THEM AND TO CLAIM CIVIL DAMAGES AGAINST THE GOVERNMENT OF THE UNITED STATES.

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 MANILA 09950 02 OF 02 141311Z

"THE MINISTRY OF FOREIGN AFFAIRS AVAILS ITSELF OF THIS OPPORTUNITY TO RENEW TO THE EMBASSY OF THE UNITED STATES OF AMERICA THE ASSURANCES OF ITS HIGHEST CONSIDERATION.

"MANILA, 14 JUNE 1978"

3. AFTER READING NOTE I COMMENTED TO COLLANTES THAT THERE HAD TO BE MORE TO THIS BIZARRE STORY THAN MINISTRY HAD CONVEYED BASED ON REPORTS FROM CONGEN AND EMBASSY WASHINGTON COLLANTES AGREED INCIDENT WAS PECULIAR AND RECALLED HOW HELPFUL NEW YORK POLICE DEPARTMENT HAD BEEN TO GOP MISSION AND CONGEN DURING PAST DEMONSTRATIONS. I UNDERTOOK CONTACT DEPARTMENT URGENTLY AND GET HIM AT LEAST PRELIMINARY COMMENT LATER TODAY.

4. ACTION REQUESTED: COUNTRY DIRECTOR MONJO TELEPHONE ME AT COLLANTES HOME (85-15-22 RPT 85-15-22) WHERE I WILL BE HIS GUEST THIS EVENING UNTIL APPROXIMATELY 1100 EDT, SO THAT I MAY PASS ON AT LEAST OUR PRELIMINARY REACTION TO THIS PROTEST. MURPHY

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DIPLOMATIC PRIVILEGES, DIPLOMATIC PROTESTS, POLICE FORCES
Control Number: n/a
Copy: SINGLE
Draft Date: 14 jun 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978MANILA09950
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780248-0257
Format: TEL
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780661/aaaacagb.tel
Line Count: 201
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: ae753289-c288-dd11-92da-001cc4696bcc
Office: ACTION EA
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 04 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2359382
Secure: OPEN
Status: NATIVE
Subject: GOP PROTESTS ALLEGED VIOLATION OF DIPLOMATIC PREMISES
TAGS: PDIP, RP, US
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/ae753289-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014